

# Improving the Environment In Indian Country and Environmental Justice Communities



US Environmental Protection Agency, Region 6
Office of Environmental Justice and Tribal Affairs

## From the Director

Our second Environmental Accomplishments Report highlights the work achieved in Indian Country and the Environmental Justice communities of Region 6 during fiscal year 2007.

This report reflects the work done by Region 6 staff, Region 6 tribes, Environmental Justice communities, state partners and stakeholders. We are honored to work with all of our partners to accomplish the success documented in the following pages.

The Office of Environmental Justice and Tribal Affairs seeks to enhance relationships with American Indian Nations and Environmental Justice communities by encouraging collaborative approaches to resolving difficult situations. We act as advocates for the communities we serve.

Tribes and communities working together with EPA are able to work towards our shared goals of clean air, water, land and healthy communities. This report outlines the significant steps taken to address these goals in 2007.

Thank you for your contributions toward this year's successes, which inspire us to continue our collaborative work next year and into the future. There is much yet to be done!

Jonathan B. Hook, Ph. D Director, Office of Environmental Justice and Tribal Affairs January 2008

## Improving the Environment In Indian Country and Environmental Justice Communities

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## **Clean Air in our Communities**

#### **Air Quality Improves in Indian Country**

In Fiscal Year 2007, five tribes and one tribal consortia used EPA air grant money to work toward improving air quality in Indian Country, maintaining 60 air monitors across Indian Country this year.

The Inter-Tribal Environmental Council (ITEC) monitored and maintained programs for the prevention and control of air pollution and the implementation of national air quality standards. ITEC also provided air quality related technical assistance to Region 6 tribes.

The Delaware Nation and the Quapaw Tribe of Oklahoma both continued regulatory monitoring for PM2.5, PM10, ozone and meteorological data on tribal lands and entered monitoring data into EPA's database. The Tribes also maintained a presence in local, regional and national air organizations and continued air quality outreach to tribal and community members.

The **Peoria Tribe of Indians of Oklahoma** used their air quality grant this year to test for bioaerosols being produced and possibly emitted by compost used as a growing medium at a local mushroom producing facility.

The **Pueblo of Isleta** built tribal air capacity by hiring an air quality technician and identifying air emissions sources on or near tribal lands. The Pueblo also provided air quality outreach to the tribal community.

The Seneca-Cayuga Tribe of Oklahoma used their air quality grant to build tribal capacity to identify air quality concerns within the Tribal jurisdictional boundary. The Tribe hired and trained air quality technicians, purchased equipment and supplies and attended air quality training and conferences. The Tribe also educated and provided outreach to tribal members.



Monitors assess air quality on tribal land.

#### **Tribes Address Indoor Air Quality**

Parts of the tribal populations of New Mexico and Oklahoma are living in areas where the levels of indoor air radon exceed the EPA guidance. The following tribes received grant money this year to run radon programs to test homes, schools and businesses:

- Jicarilla Apache Nation
- · Pueblo of Taos
- · Pueblo of San Ildefonso
- Cherokee Nation
- · Eastern Shawnee Tribe of Oklahoma
- · Seminole Nation of Oklahoma

All these tribes received radon testing canisters at no cost. The tribes used their grant money to provide outreach literature to their members and conduct demonstration projects to reduce radon levels in homes with readings above the EPA guidelines.

## **Clean Air in our Communities**

## Blue Skyways Clean School Bus Collaborative Region 6 and the Fort Sill Apache Tribe Purchase New, Cleaner School Buses

More than 24 million children ride a bus to and from school everyday, spending roughly 3 billion hours on school buses each year. Recent studies suggest that children's school bus commutes potentially expose children to significantly higher concentrations of pollutants than what is measured in a community's ambient air. Children are more susceptible to air pollution due to immature respiratory systems, and having a faster breathing rate. The Blue Skyways Clean School Bus Grant was designed to reduce children's exposure to diesel exhaust from school buses. EPA's Clean School Bus USA initiative has three primary goals: 1) reduce school bus idling; 2) retrofit existing buses with devices and/or cleaner fuels that reduce pollution, and 3) replace the oldest buses with new, cleaner buses.

The Fort Sill Apache Tribe Environmental Program approached all schools in Caddo County to be a part of their initiative; four schools responded. Fleet summaries and an information table were completed, covering everything from the number of students who rode the buses to the annual miles traveled on the bus.

Through this grant, the schools are given four options: 1) retrofits; 2) engine upgrades; 3) cleaner fuel; and 4) replacement (bus/engine). If a school decides to retrofit their bus by using EPA or CARB certified products, such as diesel oxidation catalyst, particulate filters or closed crankcase systems, the Environmental Program can pay 100 percent of the total cost. Engine upgrades and replacements can be paid up to 50 percent and bus replacements up to 45 percent. If a school chooses the cleaner fuel option, the tribe will pay the difference between a cleaner fuel and the standard diesel fuel.

With the funding from the Blue Skyways grant, the Fort Sill Apache Environmental Program has been able to help two of the four participating schools purchase new and cleaner buses. Carnegie Public School system was the first to purchase their bus for \$68,477, of which the Fort Sill Apache Tribe Environmental Program contributed \$30,815. The second school to purchase a bus was Boone-Apache Public Schools for \$77,543, of which the Tribe contributed \$34,894. Gracemont Public Schools and Cyril Public Schools will purchase new buses in the near future. New, cleaner school buses mean a healthier way for children



New school buses purchased through the Blue Skyways Clean School Bus Collaborative.

## **Clean and Safe Water**

Until Fiscal Year (FY) 2003, the tribal population in Region 6 receiving water meeting all drinking water health-based standards hovered at around 60 percent. Significant financial and technical resources were directed toward the tribes with the most violations in 2002, including more than \$1.1 million in drinking water infrastructure grants, Total Coliform Rule (TCR) compliance training, and direct technical assistance through EPA-funded circuit riders.

Meetings with leaders at a few tribes with historic compliance issues won their commitment to address milestones which significantly improved tribal drinking water compliance. Further compliance assistance efforts resulted in a dramatic 30 percent improvement in compliance in FY 2005. These gains were maintained through FY 2006, capping at 91.8 percent. A decrease to 81 percent was experienced in FY 2007, due to short-term TCR violations at a few relatively large public water systems and the resulting negative skewing effect they had on overall drinking water compliance. However, using an alternate approach to compute compliance, which uses a time-weighted adjustment for the duration of the violation, yields a 97 percent compliance rate for tribal drinking water systems. These numbers do not include private drinking water wells and small drinking water systems that serve less than 25.

To help ensure drinking water system safety, all required sanitary surveys were conducted at tribal community water systems.



A river courses through the Jicarilla Apache Nation.

## Region 6 Water Quality Success

Region 6 awarded four grants, totaling \$1.25 million, to tribal communities to address immediate water infrastructure needs.

Region 6 approved the Clean Water Act Section 319 Treatment in the Same Manner as a State Authority for the Pueblo of Taos and the Wyandotte Nation.

Region 6 provided six Safe Drinking Water Act training classes to 199 people, who earned 900 Continuing Education Credit Hours.

## **Clean and Safe Water**

#### **EPA Ensures Safe Drinking Water for DeBerry, Texas**

Rural Panola County is located at the eastern edge of Texas where oil field operations are common. Residents of Panola County became concerned about their private drinking water wells when sampling data collected by the State indicated unsafe drinking water. Since residents did not have an alternate drinking water supply, EPA provided bottled water beginning in August 2005 under "imminent and substantial endangerment" provisions under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). In November 2006, residents of this low-income African-American community filed a petition under CERCLA.

The CERCLA petition requested that EPA conduct a preliminary assessment/site investigation (PA/SI) to assess potential contamination. Upon completion of the PA/SI, EPA met with the community in June 2007 to provide the sampling results and discuss next steps. Sampling data revealed contaminants in the monitoring wells above levels considered to be safe for human consumption. As a result, EPA will install a water line to provide residents safe drinking water. EPA will continue to provide bottled water until the residents are connected to the water system. The construction design phase began in December 2007, and the water line is expected to be completed by the spring of 2008.

#### **Tribes Participate in Water Quality Training**

The **Osage Nation** collaborated with the R6 Water Quality Protection Division and the United States Geological Survey (USGS) during the past year to provide three workshops on Field Water Quality Methods. The workshops, held in Oklahoma and New Mexico, emphasized clean sampling protocols for metals collection and analysis in surface water. They also included field preparation, water monitoring, integrated-flow techniques, and discharge and field measurements.

Attendees spent one day in class learning about the field methods used in the USGS-Water Resources Discipline and the complexity of collecting defensible water quality data and quality assurance data. The

other two days of the workshops were held at a stream site giving the class participants the opportunity to perform the sampling protocols themselves and to use their own field equipment. The practical knowledge and handson experience of the workshops helped participants improve their sampling techniques, increasing data quality.



Workshop participants learn water sampling techniques.

## **Protecting and Restoring Land**

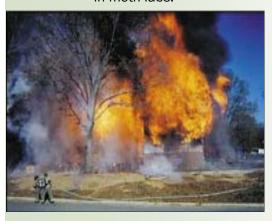
#### **Region 6 Superfund Success**

Assessed 22 sites for hazardous waste on tribal land or lands that were impacting tribal land.

Funded six management assistance programs, through which tribes provide technical assistance at Superfund and other hazardous waste removal sites.

Sponsored several trainings, including:
40-Hour Health and Safety Training,
Geographic Information Systems Training,
Global Positioning System Training, and
Basic Sampling Training.

Typical chemicals and equipment found in meth labs.



House fire caused by a meth lab inside.

#### **Underground Storage Tanks**

Many Region 6 Tribes have underground storage tanks (USTs) on their lands. In Fiscal Year 2007, the Region 6 Tribal UST program completed 34 UST inspections on tribal lands.

Compliance assistance was conducted at each facility, and compliance plans were drawn up and left with those facilities that had compliance issues. No new contamination to tribal lands was discovered as a result of the inspections.

In May 2007, tribes from around the country met with EPA in Albuquerque, New Mexico, to discuss a new tribal UST strategy, Energy Policy Act provisions, federal credentials and other UST issues.

## Tribal Training Deals with Methamphetamine Contaminated Sites in Indian Country

The Cherokee Nation Environmental Program, in partnership with the Inter-Tribal Environmental Council, has enhanced existing training to include a "train-the-trainer" component, focused on the assessment and cleanup of methamphetamine (meth) contaminated brownfields sites. The *Meth Lab Assessment Training* is designed to give participants the information and tools necessary to safely and effectively address the contamination left by illegal meth production. The training includes a model checklist which will identify and estimate costs associated with meth assessment and cleanup. It incorporates research and technical tools developed by the Drug Enforcement Administration, the Federal Bureau of Investigations, and other non federal organizations, universities and tribes.

The training teaches participants how to identify, assess and remediate former meth lab sites. Participants learn how to identify their community and governmental stakeholders, as well as learn how to construct and maintain a tribal response program. The dynamic training approach provides the most current and informative material available so that participants will have the necessary resources to train and develop their own response teams.

## **Protecting and Restoring Land**

#### **Solid Waste Activities Improve Conditions on Tribal Land**

Tribes in Region 6 have listed solid waste concerns, particularly open dumps on tribal lands, as one of their top environmental priorities. This year, 32 percent of tribes in Region 6 used General Assistance Program funds to conduct solid waste implementation activities, such as cleaning up or closing open dump sites, waste minimization activities, pollution prevention and source reduction. At least 15 open dumps were cleaned up or closed on tribal lands in 2007.

The Region 6 Tribal Solid Waste Program, along with our state and tribal partners, hosted Solid Waste workshops in Oklahoma and New Mexico. The EPA Regional Tribal Solid Waste Coordinator gave presentations on the EPA Tribal Solid Waste, Community Action for a Renewed Environment and Brownfield programs. These workshops are part of an effort to help Region 6 tribes gain a greater knowledge of the grant ranking process and how to write a stronger, more competitive grant proposal.









Before and after pictures of open dump sites cleaned up by the Pueblo of Laguna.

## **Healthy Communities**

#### **Students Participate in International Video Conference**

The Office of Environmental Justice and Tribal Affairs facilitated an international indigenous students' video conference on March 14, 2007. Participants included youth from Ufa-Shigiri (Russia), Sarawak (Malaysia), and the Kiowa Tribe and Kialegee Tribal Town (Oklahoma, U.S.A.). The theme for the conference was "Our Communities, Our Environment, Our Future."

The students' goals for the initial conference included exchanging information about communities, introducing current local issues, and most importantly, begin-



Okla. students greet their peers around the world.

ning to forge lasting relationships. Although they live in different places around the world, the students found that their communities face similar environmental issues. Several students took on environmental improvement projects in their communities following the conference. A second, expanded video conference is scheduled for March 2008.

#### **Enhancing our Environmental Justice Partnerships**

The Region 6 Office of Environmental Justice and Tribal Affairs (OEJTA) partnered with the Louisiana Department of Environmental Quality (LDEQ) to host two Environmental Justice (EJ) Listening Sessions in Baton Rouge and Shreveport, Louisiana. The purpose of the listening sessions was to provide an avenue for EJ communities to come face-to-face with federal, state, local governments and industry to hear and address environmental concerns that EJ communities are faced with on a daily basis. The listening sessions included several panel discussions on topics relating to identified community concerns. EPA and LDEQ partnered and presented a workshop on the air permitting process in Louisiana and OEJTA presented a grant writing workshop. Public comment periods at each session allowed participants to submit comments. The listening sessions helped all sides gain a better understanding of EJ concerns and provided opportunities to begin working toward mutually beneficial solutions. Due to the success of these sessions, LDEQ has committed to hold annual EJ Listening Sessions.

#### State Coordinator's Conference Call

OEJTA held a semiannual Environmental Justice State Coordinator's Conference Call in June 2007. The conference call was an opportunity for EPA and our state partners to reflect on their EJ program accomplishments and successes, and to build and strengthen partnerships that will continue as we work together to assist communities in addressing their environmental concerns. The next semiannual EJ State Coordinator's meeting is tentatively scheduled for Spring 2008.

#### Environmental Justice Fundamentals Training

OEJTA Environmental Justice trainers conducted an Environmental Justice Fundamentals training for managers at the Arkansas Department of Environmental Quality in November 2007. Approximately 15 managers were given an opportunity to work with the trainers to better understand Environmental Justice. Participants were provided with EJ information, including definitions, laws and policies, in order to assist in their identification of EJ issues. Participants will be able to use the information obtained to better address Environmental Justice issues in their daily work.

## **Healthy Communities**

#### **Environmental Justice Grants Assist Hurricane Recovery**



Cleanup workers get supplies and information from LEAN.



The Louisiana Environmental Action Network (LEAN) was awarded a \$50,000 grant to promote environmental safety among cleanup workers in the greater New Orleans area. LEAN provided protective supplies for cleanup workers, including: 10,290 body suits, 1,123 respirators, 3,035 filters, 2,099 leather gloves, 2,564 nitrile gloves and 1,314 goggles.

LEAN also conducted training for cleanup workers, including four workshops and a cleanup workers' fair. The group distributed educational materials and cleaning supplies to communities. All written material was distributed in both English and Spanish. A health and safety survey was also developed to determine the effectiveness of the protective gear and the educational materials.

Results of the surveys and comments made during and after the workshops demonstrated a positive response to both the equipment and the community workshops. The participants said that the protective gear and the explanatory workshops made their jobs safer. While LEAN had spoken to experts and researched the equipment that was distributed, the information gathered by the surveys supported the appropriateness and effectiveness of the articles that the survey recipients received. The type of gear that LEAN provided was modified over time as the workers' needs changed.

The Bayou Interfaith Shared Community (BISCO) was awarded \$50,000 to assess environmental and public health concerns related to hurricanes Katrina and Rita. BISCO collected over 1,000 community comment forms, which showed the community had serious concerns, particularly about their waterways and water supplies.

BISCO held 18 meetings in two parishes where participants were trained in community organizing. The group also hosted a two-day retreat "A Dialogue on Race, Culture and the Environment" with 52 multiethnic participants.

BISCO has created a steering committee of community agencies, organizations and leaders to discuss and study the results of the community's comments and to begin seeking remedies for these concerns. The steering committee has successfully worked with state agencies and the news media to deliver public health news to the community, and plans are in development for a more in-depth collaborative process to carry on the work begun by this grant.



Retreat participants and BISCO steering committee.



## **Compliance and Stewardship**

#### Compliance Assistance Brings Safe Drinking Water to Tribes

The **Pueblo of Nambe** has had trouble complying with the Safe Drinking Water Act for over 15 years. The water system has had violations for total coliform, E-coli, fecal, and chemical and radiological maximum contaminant levels. After working in partnership with EPA Region 6, the Pueblo has achieved continuous compliance for over a year. The Pueblo now has qualified, certified operators for their system and safe drinking water for their communities.

The **Kickapoo Traditional Tribe of Texas** has also had challenges complying with the Safe Drinking Water Act. In October 2006, the Tribe and EPA Region 6 signed an Order on Consent to bring the water system back into compliance. Through compliance assistance provided by EPA and the Tribes' commitment to comply, no violations have occurred since the Order was issued. EPA has since terminated the Order, and the Tribe now has qualified, certified operators and is supplying safe drinking water for their communities.

## Federal Credentials Issued to the Pueblo of Sandia

EPA issued formal credentials to the **Pueblo of Sandia** Oct. 30, 2007, to perform inspections under the National Pollutant Discharge Eliminsation System (NPDES). The Pueblo will conduct a compliance evaluation inspection or compliance sampling inspection at the Town of Bernalillo Wastewater Treatment plant and NPDES Phase I and II Stormwater inspections for activities that occur on the Pueblo.

The Pueblo will conduct the inspection and issue an inspection report to EPA. EPA will then review the report and take enforcement action, if appropriate. These credentials are the first in the Nation to be issued to a tribe for NPDES inspections at multi urisdictional facilities.

#### Valero Settlement will Improve Air Quality in Port Arthur

Under an agreement reached with the Justice Department and the Environmental Protection Agency on Aug. 16, 2007, Valero Energy Corporation agreed to pay a \$4.3 million fine and to spend \$232 million on new and upgraded pollution controls at its refineries in Port Arthur, Texas, Lima, Ohio, and Memphis, Tennessee. The upgrades will reduce emissions of harmful pollutants by several thousand tons a year. These pollutants can cause serious respiratory problems and aggravate cases of childhood asthma.

The Consent Decree requires an additional \$1.6 million to be spent on the following projects serving the Port Arthur community:

- \$1 million to support a local health center serving under- and un-insured residents of the Port Arthur area, for the diagnosis and treatment of asthma and other respiratory illnesses that may be caused or aggravated by air pollution.
- A mobile air monitoring van for the Local Emergency Response Commission.
- "Shelter-in-place" air control systems at the Booker T. Washington Elementary and Memorial 9th Grade Center schools to detect, isolate and filter air pollution that may result from emissions in the Port Arthur area.
- A project to replace existing high-emitting water heaters with new low-emission water heaters in low-income residences in the Port Arthur area.

## **Cultural Brown Bag Series**

The Region 6 Office of Environmental Justice and Tribal Affairs is hosting an ongoing Brown Bag series for all Region 6 employees. The series' presenters provide different perspectives on the environmental justice and tribal communities served by Region 6. The following presenters came to Region 6 this year:

**Richard Moore** has been a national leader of the environmental justice movement for more than 30 years. He is a founding member of the Southwest Organizing Project and the Southwest Network for Environmental and Economic Justice (SNEEJ). He currently serves as the Executive Director of SNEEJ, an organization made up of over 60 community based grassroots organizations working in communities of color in six southwestern states and northern Mexico. Mr. Moore also serves as Chair of the National Environmental Justice Advisory Committee.



Dr. Rodney Stapp is the CEO of the Urban Inter-Tribal Center of Texas and a member of the Comanche



Nation of Oklahoma. In his working career, Dr. Stapp has simultaneously established a strong and varied track record in the fields of both management and the practice of podiatry. Dr. Stapp was selected and served the Urban Inter-Tribal Center as Clinic Director in 2000. In August 2002, the Center's Board of Trustees selected Dr. Stapp as Chief Executive Officer to operate the facility. In addition, he continues to provide podiatry services in the medical clinic. Dr. Stapp is currently involved with NIKE Headquarters in developing and designing a wellness shoe for Native Americans, targeting diabetic patients.

Curtis Munoz is the Kiowa Tribe Environmental Program Director and the Tribal Co-Chair of the EPA National Tribal Science Council. He has represented Region 6 on the Tribal Science Council since 2005 and now as the National Co-Chair, Mr. Munoz now represents every tribe in the nation. The Tribal Science Council promotes science and implementation of environmental science to better care for the environment in Indian Country as well as nationally. A prime area of focus for the Council and Mr. Munoz has been on traditional lifeways and how to merge these lifeways with western science and risk assessment without eroding or diminishing the importance of cultural and spiritual native lifeways.



Dr. Jim Walton is the chief equity officer and vice president of health equity for Baylor Health Care Sys-



tem. He is responsible for overseeing health care equity improvement throughout the System and ambulatory care centers through HealthTexas Provider Network, Baylor's physician group. With many years of health care management, clinical practice and research pertinent to community health improvement, Dr. Walton's career has been dedicated to serving the economically disadvantaged. Since 2000, Dr. Walton has served as the medical director of Project Access Dallas, a network of over 650 physicians and 15 hospitals providing comprehensive health care access to uninsured people throughout Dallas County. He also developed and currently oversees the Baylor Health Care System Volunteers-in-Medicine

program and has also worked on community-level initiatives to pilot health improvement strategies.

### **2007 Tribal Environmental Excellence Awards**

#### **Kickapoo Traditional Tribe of Texas**

The Environmental Excellence Award was presented by Region 6 to the Kickapoo Traditional Tribe of Texas, who entered into the first Memorandum of Understanding (MOU) with the Office of Environmental Justice and Tribal Affairs. Under the terms of the MOU both parties will reinforce a working relationship by maximizing available resources and encouraging capacity building in support of the goals of improving environmental conditions, supporting cultural preservation and ensuring that economic improvements are accomplished in an environmentally protective manner.

The Kickapoo Traditional Tribe of Texas also received an Environmental Excellence Award for outstanding compliance with the Safe Drinking Water Act and protection of public health. Through assistance provided by EPA and the Tribes' commitment to comply, no drinking water violations have occurred since October 2006. The Tribe now has qualified, certified operators and safe drinking water for their communities.

#### Jason White Inter-Tribal Environmental Council

The Environmental Excellence Award was presented by Region 6 to Jason White for his superior performance and commitment to achieving the Superfund mission throughout Indian Country. Jason is extremely responsive to the Region, as well as the tribal members of ITEC. Jason has provided a voice for the tribes at many community meetings and workgroups and is a valuable asset to both ITEC and the Region 6 Superfund program. His hard work and commitment are appreciated.

#### Pueblo of Nambe

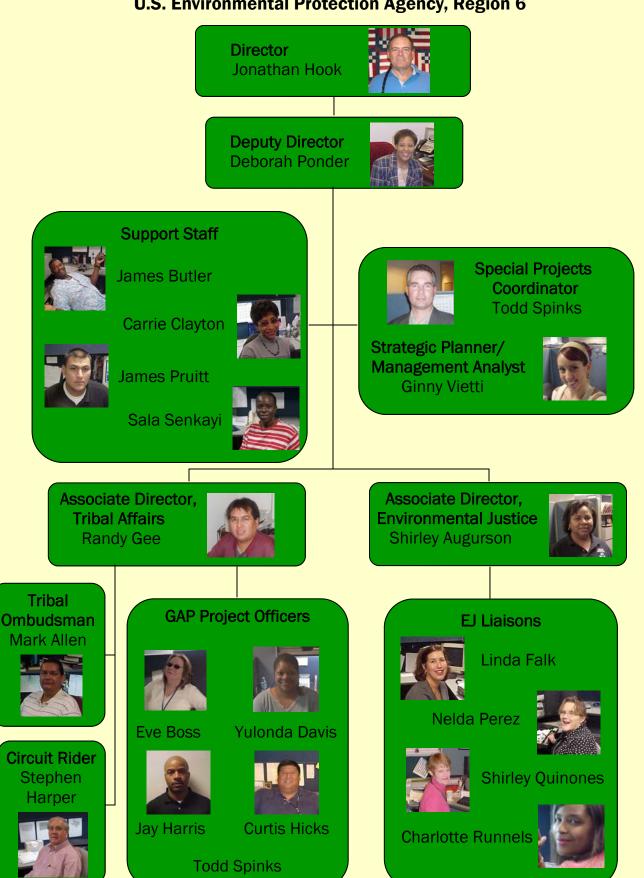
The Nambe Pueblo has achieved continuous drinking water compliance for over a year. The Pueblo has qualified, certified operators and safe drinking water for their communities, and also has an arsenic removal system to minimize arsenic in their drinking water.

#### JAN STEVENS AWARD

## Randy Gee Cherokee Nation and EPA Region 6

Randy Gee was nominated by the Wyandotte Nation to be this year's recipient of the Jan Stevens Award. One of Randy's greatest qualities is his ability to work well with multiple tribes and agencies. Among other things, Randy has been instrumental in providing training and stimulating information exchange on topics such as solid waste, environmental compliance and writing codes. Randy has an outstanding work ethic and is dedicated to the protection of tribal natural resources. The Wyandotte Nation looks forward to working with Randy in his new capacity with EPA Region 6, and was excited to nominate such an excellent environmental steward for this award.

## Office of Environmental Justice and Tribal Affairs U.S. Environmental Protection Agency, Region 6



### **Region 6 Office of Environmental Justice and Tribal Affairs**

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Absentee-Shawnee Tribe of Indians of Oklahoma Apache Tribe of Oklahoma Caddo Indian Tribe of Oklahoma Cheyenne-Arapaho Tribe of Oklahoma	Choctaw Nation of Oklahoma Citizen Potawatomi Nation Comanche Nation of Oklahoma Delaware Nation Fort Still Apache Tribe of Oklahoma lowa Tribe of Oklahoma	Kickapoo Tribe of Oklaho Kiowa Indian Tribe of Okl Sac and Fox Nation Seminole Nation of Oklah Wichita and Affiliated Trib	oma ahoma noma
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